

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**Voluntary Chapter 13 Case of Individual Debtor – Requirements**

- \_\_\_\_\_ **Filing Fee: \$274.00** [this includes a \$39 administrative fee].  
     – File Official Form 3A<sup>1</sup> if debtor seeks to pay by installments.
- \_\_\_\_\_ **Voluntary Petition** (Official Form 1<sup>1</sup>).  
     – Before filing, check the last four digits of the debtor’s social security number (appearing on the petition) to ensure accuracy.
- \_\_\_\_\_ **List of Creditors** [include name and complete address for each listing].  
     – **Before December 1, 2005:** Debtor can file the schedule of liabilities with the petition in lieu of filing the list of creditors at that time.  
     – **On or After December 1, 2005:** Debtor must file list of creditors with the petition and such list must include those listed (or to be listed) on Schedule G (Executory Contract and Unexpired Leases) and Schedule H (Codebtors).
- \_\_\_\_\_ **Statement of Social Security Number** (Official Form 21).  
     – Required for *all* individual debtors.  
     – Before filing, check the accuracy of the social security number appearing on the form.  
     – File paper original with the petition, but do **not** include on the diskette with the other documents (since this form should **not** appear on the electronic docket).
- \_\_\_\_\_ **Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b).**  
     – **Certificate of Debtor** (appearing at end of the notice) must be filed with the petition (where the debtor did not retain the services of an attorney or bankruptcy petition preparer). [US Trustee, on motion, can request dismissal if this certificate is not filed within 15 days from the date of filing of the petition.]  
     – **Certificate of Bankruptcy Petition Preparer** (appearing toward the end of the notice) must be filed with the petition (where the debtor retained the services of a bankruptcy petition preparer).
- \_\_\_\_\_ **Certificate of Credit Counseling and Debt Repayment Plan.**  
     – *All* individual debtors are required to undergo credit counseling from an agency approved by the US Trustee for this federal judicial district [Southern District of New York] **within 180 days prior to filing the petition**; to view the list of approved agencies for this district, a link to the US Trustee’s website can be accessed from the court’s website, [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov).  
     – Debtor must file copy of a debt repayment plan if it was created as part of credit counseling.  
     – If the debtor cannot file the certificate, one of the following two requests (if applicable) must be made **at the time of filing**:  
     1. Request for 30-Day Extension under Section 109(h)(3).  
     2. Request for Court Determination of Waiver Due to Incapacity, Disability or Active Military Duty in a Combat Zone [Section 109(h)(4)].
- \_\_\_\_\_ **Statement of Current Monthly Income and Disposable Income Calculation** (Official Form 22C).  
     – Required for all chapter 13 debtors.  
     – Must be filed with the petition or within 15 days from the date of filing.
- \_\_\_\_\_ **Schedules** (Official Form 6<sup>1</sup>).  
     – Individual debtors must file **all** parts: Summary of Schedules, Statistical Summary of Certain Liabilities and Schedules A through J, including the *schedules of assets and liabilities*, the *schedule of executory contracts and unexpired leases*, and the *schedules of current income and expenditures*.  
     – Must be filed with the petition or within 15 days from the date of filing.

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<sup>1</sup> Because this Official Form was revised in 2005, the debtor must check to see if “10/05” (*i.e.*, October 2005) appears in the upper, left-hand corner of the form (to ensure that the current version of the form is being used).

- \_\_\_\_ **Statement of Financial Affairs** (Official Form 7<sup>1</sup>).  
– Must be filed with the petition or within 15 days from the date of filing.
- \_\_\_\_ **Record of any Interest in an Education IRA.**  
– In addition to completing line 11 of Schedule B, the debtor must separately file a record of any interest in an education individual retirement account (Education IRA).  
– Must be filed with the petition or within 15 days from the date of filing.  
– The debtor should redact his or her social security number prior to filing (delete or block first five digits).
- \_\_\_\_ **Chapter 13 Plan.**  
– Must be filed with the petition or within 15 days from the date of filing.
- \_\_\_\_ **Notice to Debtor by Bankruptcy Petition Preparer** [if the debtor retained the services of a bankruptcy petition preparer].  
– Official Form 19B must be filed with any petition prepared by a bankruptcy petition preparer.
- \_\_\_\_ **Statement Disclosing Compensation Paid or To Be Paid to a Bankruptcy Petition Preparer.**  
– Must be filed with any petition prepared by a bankruptcy petition preparer.
- \_\_\_\_ **Statement Disclosing Compensation Paid or To Be Paid to the Attorney for the Debtor.**  
– Must be filed within 15 days or any other date set by the court.
- \_\_\_\_ ***After Filing: Debtor Must Complete Course in Personal Financial Management.***  
– All individual debtors in cases under chapters 7 and 13 are required to complete this course from a course provider approved by the US Trustee for this federal judicial district [Southern District of New York]; to view the list of approved course providers for this district, a link to the US Trustee’s website can be accessed from the court’s website, [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov).  
– After completing the course, the debtor must file **Official Form 23** (“Debtor’s Certification of Completion of Instructional Course Concerning Financial Management”) ***no later than*** the last payment made by the debtor as required by the plan *or* the filing of a motion for entry of a “hardship” discharge under § 1328(b).
- \_\_\_\_ ***Where, Prior to Filing, Landlord Obtained Judgment for Eviction from Residential Lease.***  
– Debtor must complete bottom portion of the second page of the Voluntary Petition (Official Form 1<sup>1</sup>).  
– Debtor should obtain separate instructions from the clerk’s office.

**NOTE: *Payment Advices or Other Evidence of Payment* – Pursuant to General Order M-315 (signed 12/08/05), individual debtors in chapter 13 cases must provide the chapter 13 case trustee – no later than the time of the meeting of creditors conducted pursuant to 11 U.S.C. § 341(a) – copies of payment advices or other evidence of payment received by the debtor from any employer *within 60 days before* the date of the filing of the petition. Do not file payment advices with the Court.**

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